

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

SHERRY LYNN PHILLIPS,)
)
 Plaintiff,)
)
 v.)
)
 CAROLYN W. COLVIN, Acting)
 Commissioner of the Social)
 Security Administration,)
 Defendant.)

Case No: 13-CV-595-PJC

OPINION AND ORDER

On December 30, 2014, this Court reversed the decision of the Commissioner and remanded this case for further administrative proceedings under sentence four of 42 U.S.C. § 405(g) (Dkt. Nos. 19-20). Pursuant to Plaintiff's Motion for Attorney Fees Pursuant to the Equal Access to Justice Act ("EAJA") (Dkt. No. 27) and Defendant's response (Dkt. No. 28), the parties have agreed that an award in the amount of \$4,650.60 in attorney fees is appropriate based on 14.4 hours of attorney work and 19.2 hours paralegal work performed in this case. The Court has reviewed the pleadings and finds that Plaintiff Sherry Lynn Phillips ("Phillips") is the prevailing party and the fees sought are reasonable.

THEREFORE, IT IS ORDERED that Phillips be awarded EAJA attorney fees in the amount of \$4,650.60, in care of her counsel. If attorney fees are also awarded under 42 U.S.C. § 406(b) of the Social Security Act, Plaintiff's counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

DATED, this 4th day of March, 2015.



Paul J. Cleary
United States Magistrate Judge